

PRT-805269

Applicant: Dr. Daniel A. Soluk, Illinois Natural History Survey, Champaign, Illinois.

The applicant requests a permit to take (collect, live-capture, and handle) Hine's Emerald Dragonflies (*Somatochlora hineana*) in Cook, DuPage, and Will Counties, Illinois, for biological research studies aimed at enhancement of propagation or survival of the species.

Written data or comments should be submitted to the Regional Director, U.S. Fish and Wildlife Service, Division of Endangered Species, 1 Federal Drive, Fort Snelling, Minnesota 55111-4056, and must be received within 30 days of the date of this publication.

Documents and other information submitted with Dr. Soluk's application are available for review by any party who submits a written request for a copy of such documents to the following office within 30 days of the date of publication of this notice: U.S. Fish and Wildlife Service, Division of Endangered Species, 1 Federal Drive, Fort Snelling, Minnesota 55111-4056. Telephone: (612/725-3536, x 250); FAX: (612/725-3526).

Dated: August 4, 1995.

John A. Blankenship,

Assistant Regional Director, Ecological Services, Region 3, Fish and Wildlife Service, Fort Snelling, Minnesota.

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Minerals Management Service**Request for Comments on the Draft Proposed 5-Year Outer Continental Shelf (OCS) Oil and Gas Leasing Program for 1997-2002**

SUMMARY: Comments are requested on the Draft Proposed 5-year OCS Oil and Gas Leasing Program for 1997-2002. This is the first proposal for a new program to succeed the current program that expires in July 1997.

Section 18 of the OCS Lands Act (43 USC 1344) specifies a multi-step process of consultation and analysis that must be completed before the Secretary of the Interior may approve a new 5-year program. The required steps following this notice include the development of a proposed program, a proposed final program, and Secretarial approval. Pursuant to the National Environmental Policy Act, the Minerals Management Service (MMS) also will prepare an Environmental Impact Statement (EIS) for the new 5-year program.

DATES: Please submit comments and information to MMS on or before October 10, 1995.

ADDRESSES: Respondents should mail comments and information to: 5-Year Program project Director, Minerals Management Service (MS-4430), Room 1324, 381 Elden Street, Herndon, Virginia 22070. The MMS will accept hand deliveries at 1849 C Street, NW, Room 4230, Washington, DC. Envelopes or packages should be marked "Comments on the Draft proposed 5-Year OCS Oil and Gas Leasing Program for 1997-2002." When submitting any privileged or proprietary information to be treated as confidential, respondents should mark the envelope, "Contains Confidential Information."

FOR FURTHER INFORMATION CONTACT: Carol Hartgen, 5-Year Program Project Director, or Tim Redding, Program Decision Document Project Manager, at (703) 787-1216. To order copies of the new Draft Proposed Program decision document and maps or documents describing the current 5-year program for 1992-1997, telephone (703) 787-1216.

SUPPLEMENTARY INFORMATION: The MMS requests comments from States, local governments, Native groups, tribes, the oil and gas industry, Federal Agencies, environmental and other interest organizations, and all other interested parties to assist in the preparation of a 5-year OCS oil and gas leasing program for 1997-2002 and applicable EIS.

Background

Management of the Nation's offshore oil and gas resources is governed by the OCS Lands Act, which specifies the conditions under which the Secretary of the Interior grants rights to explore for, develop, and produce those resources. The Secretary has assigned the responsibility for implementing the requirements of the OCS Lands Act to the MMS.

Section 18 of the Act requires the Secretary to prepare an oil and gas leasing program that indicates a 5-year schedule of lease sales that he determines will best meet the Nation's energy needs. Section 18 requires that the 5-year program be prepared in a manner consistent with four main principles: (1) Consideration of economic, social, and environmental values and the potential impact on marine, coastal, and human environments; (2) consideration of diverse environmental, geographical, and equitable regional factors; (3) a proper balance among potential for environmental damage, discovery of oil and gas, and adverse impact on the

coastal zone; and (4) assurance of receiving fair market value. There is no set equation for the weight to be accorded each principle and factor. It is within the Secretary's discretion after taking these matters into consideration to determine how best to proceed.

In addition to the requirements of section 18, the following policy objectives endorsed by the President and the Secretary have been considered in developing the Draft Proposed Program: consensus-based decisionmaking, science-based decisionmaking, and the use of natural gas as an environmentally preferred fuel.

On November 16, 1994, the MMS published a **Federal Register** Notice requesting comments on the preparation of a new 5-year program for 1997-2002. Over 2300 comments were received from affected State and local governments, Alaska Native organizations and communities, federal agencies, environmental and other interest organizations, the oil and gas industry, and the general public. Those comments have been considered in developing the Draft Proposed Program.

Moving From Conflict to Consensus

Preparation of the 5-year Draft proposed Program for 1997-2002 recognizes the need not only to incorporate and consider analyses that were updated from the 1992-1997 program but also to engage in dialogue with the parties that would be most affected by the program. In its 1993 report, *Moving beyond Conflict to Consensus*, the Subcommittee on OCS Legislation of the OCS Policy Committee, an independent body that advises the Secretary of the Interior, recommended that the Secretary, where local constituents were willing, use regional task forces representing OCS program stakeholders to focus on reaching consensus on OCS lease sales. The OCS Policy Committee also recognized that "overall, the prevailing controversies and the measures used to deal with them have seriously diminished the effectiveness of the federal OCS oil and gas program in helping to meet the Nation's energy needs." This program embraces the advice provided by the OCS Policy Committee and reflects the beginning of a long-term movement from conflict to consensus in the OCS program.

The OCS Policy Committee established an Alaska Regional Stakeholders Task Force consisting of diverse Alaskan constituencies which was a first attempt to reach consensus on recommending to the Secretary the appropriate planning areas to be

proposed for evaluation in an OCS 5-year program. The OCS Policy Committee approved the continued existence of the task force to advise the Secretary throughout the remainder of the 5-year program.

The Draft Proposed Program provides for environmentally responsible oil and gas leasing in selected prospective areas of the OCS where it appears there is sufficient industry interest, where the laws and policies of adjacent States and localities are not a significant impediment to OCS program activity, and where there is agreement among interested and affected parties that further evaluation of leasing is reasonable. The program provides a framework for resolving concerns relating to new leasing and development of existing leases on a basis supported by sound science. In addition, to help assure that the new program and future leasing decisions are based on good science, the Director of the MMS has asked the OCS Policy and Scientific

Committees to form a subcommittee to provide an independent review and evaluation of specific information needs for areas where controversy has led to executive and/or legislative restrictions on leasing.

National Energy Needs

Analysis in the Proposed Final Program for 1992–1997 (April 1992) showed the economic dangers associated with the Nation's dependence on imported petroleum and how OCS production had helped reduce the need for even greater volumes of imported petroleum.

The growing need for imported petroleum remains a serious concern. In its December 1994 report to the President, *The Effect of Imports of Crude Oil and Refined Petroleum Products on the National Security*, the Department of Commerce concluded that petroleum imports threaten to impair U.S. national security.

Increasing imports will make the Nation more vulnerable to supply

disruptions and increase the Nation's balance of payments deficit. Environmentally responsible development of OCS oil and gas resources will have to play a role in any effort to slow or reverse the increase in imported energy.

The decisions on the new 5-year program will have a long-term effect on the contribution of OCS resources to meeting the Nation's energy needs and improving its trade balance. Most production resulting from lease sales held under the new 5-year program is likely to begin over the first decade of the next century and continue for another 25 years.

Maps 1 and 2 contain the areas proposed for leasing consideration in the new program. Table A is a summary of the proposed schedule of lease sales for the new program. Individual planning area maps are included in the Draft Proposed Program decision document.

TABLE A.—PROPOSED LEASE SALE SCHEDULE

Region and planning area	Year	Proposed activity
Alaska:		
Beaufort Sea	1998	Small sale, focusing on nearshore blocks in center of program area (Map 1).
	2000	Sale in program area (Map 1).
Cook Inlet/Shelikof Strait	1999	Sale in program area (Map 1).
Gulf of Alaska	2001	Sale in program area (Map 1).
Chukchi Sea/Hope Basin	2002	Combined sale in program area (Map 1).
Gulf of Mexico:		
Western Gulf of Mexico	Annual	Sale in program area (Map 2).
Central Gulf of Mexico	Annual	Sale in program area (Map 2).
Eastern Gulf of Mexico	2001	Sale in program area (Map 2) (offshore Alabama, 100 miles off Florida).

Draft Proposed Program Decision

Alaska Region

The Draft Proposed Program for 1997–2002 includes lease offerings in 5 of the 15 Alaska OCS planning areas—Beaufort Sea, Cook Inlet/Shelikof Strait, Gulf of Alaska, Chukchi Sea, and Hope Basin. The lease offerings do not encompass the entire planning areas, rather they are focused on specific areas within the planning areas. These planning areas were recommended for further evaluation by the Alaska Regional Stakeholders Task Force, established by the OSC Policy Committee in November 1994 to make recommendations on the Alaska component of this 5-year program. The Task Force consists of representatives of Federal and State agencies, local governments and community organizations, Native/subsistence and development communities, oil and gas and commercial fishing industries, and environmental interests. Task Force

members met in Alaska as a group and conducted meetings in selected communities before preparing a report to the Secretary recommending areas to be considered in the new 5-year program.

The Draft Proposed Program for 1997–2002 proposes no leasing for the remaining 10 Alaska OCS planning areas. St. George Basin has relatively low net social value and low industry interest, and consensus among interested parties including the Alaska Regional Stakeholders Task Force was that this area should be excluded from the new program. Norton Basin, Navarin Basin, St. Matthew-Hall, North Aleutian Basin, Aleutian Basin, Bowers Basin, Aleutian Arc, Shumagin, and Kodiak were excluded from the current 5-year program based on low net social value, low industry interest, and other section 18 considerations. No new information supports including these areas for leasing consideration in the new program, and the Alaska Regional

Stakeholders Task Force did not recommend that they be evaluated further.

Gulf of Mexico

Annual area wide sales for the Central and Western Gulf of Mexico Planning Areas are proposed to continue to provide industry and others with the flexibility and the reliable schedule so important to long-term planning. The proposed Eastern Gulf of Mexico lease sale would cover blocks offshore Alabama and in the deep-water areas along the boundary of the Central Gulf of Mexico Planning Area. It recognizes the high potential for the development of natural gas in the areas of current development offshore Alabama and the potential for deepwater development along the Central Gulf of Mexico and Eastern Gulf of Mexico Planning Areas' boundary line. It is also consistent with Florida's continued opposition to activity within 100 miles of its coast and Alabama's desire to share in the benefits

of new OCS leasing and development. The MMS will concentrate its efforts on resolving disputes relating to those existing leases in the Eastern Gulf of Mexico offshore Florida rather than exacerbate an already contentious situation with additional leasing.

Pacific Region

There are no proposed lease sales offshore the west coast. There are outstanding scientific information needs that have not been fulfilled.

The MMS will continue working with interested and affected parties to resolve issues concerning existing leases in the Southern California Planning Area. In previous comments and in response to the November 1994 **Federal Register** Notice soliciting comments on the development of a new 5-year program, the State of California has opposed any leasing off its coast. Local government policies and ordinances have reflected this opposition as well. The MMS Pacific Regional Office and officials from Santa Barbara, Ventura, and San Luis Obispo counties in Southern California and several State agencies have formed a Tri-County Forum to address issues related to exploration and development on existing leases. Because of the cooperative nature of this forum to date in resolving oil and gas issues, two of the local counties indicated they would not oppose limited leasing off their coasts provided that several conditions such as impact assistance and an enhanced local role in OCS leasing decisions were met. However, there are still several issues to resolve for the future development of significant oil reserves under existing leases. Rather than propose additional acreage for leasing consideration, the MMS will continue working with interested and affected parties on issues concerning the existing leases.

Atlantic Region

There are no proposed lease sales. The MMS will continue working with interested and affected parties to resolve issues concerning existing leases in the Mid- and South Atlantic Planning Areas. In keeping with the Administration's goal of encouraging the use of natural gas, the MMS examined gas-prone areas off the coast of North Carolina and another off the coast of New Jersey. The areas offshore North Carolina are currently leased and are subject to litigation relating to application of the Coastal Zone Management Act and the Outer Banks Protection Act. No new leasing is proposed in these areas at this time, but

the MMS will continue to pursue resolving disputes related to the existing leases outside of litigation. The area offshore New Jersey has been leased in the past. A significant natural gas discovery was made in the 1970's. Given the recent dormancy in this area, rather than proposing leasing during the 5-year program, the MMS will begin preliminary discussions with constituents in the area.

No leasing is proposed in the North Atlantic and Straits of Florida Planning Areas. No new information supports including these areas for leasing in the new program.

Configuration of Planning Areas

The Draft Proposed Program decision moves the boundary between the Beaufort Sea and Chukchi Sea Planning Areas to more accurately conform those areas with the bodies of water after which they were named. In addition, Official Protraction Diagrams were created and planning area boundaries revised to be consistent with the current projection of the U.S. Exclusive Economic Zone as depicted on official maps prepared by the National Oceanic and Atmospheric Administration. Whole and partial Official Protraction Diagrams have been added to the Beaufort Sea; Aleutian Arc; Washington-Oregon; Northern, Central, and Southern California; and South Atlantic Planning Areas; none of the additions would be considered for leasing. The Official Protraction Diagrams beyond the OCS and Exclusive Economic Zone in the Gulf of Alaska have been deleted.

Assurance of Fair Market Value

The basic minimum bid level would be set at \$25 per acre, subject to sale-by-sale reconsideration, and the current two-phased bid adequacy process is retained. As announced in the Call for Comment published in the **Federal Register** on April 20, 1995, both of these measures are under separate review to ensure that fair market value is obtained through the MMS's leasing policies. Relevant comments received in response to that Notice will be considered in developing the fair market value provisions of the new 5-year program. The existing measures will be maintained until the separate review is complete. The results of the analysis will be addressed in formulating the proposed program.

Information Requested

We request all interested and affected parties to comment on the size, timing, and location of leasing and the procedures for assuring fair market

value that are proposed in the Draft Proposed Program for 1997-2002. Information provided by commenters should relate to the principles and factors of section 18, and suggestions for revising the Draft Proposed Program should include rationale corresponding to those considerations and to the policy objectives identified by the MMS, as discussed in the background presented above. Respondents who submitted information in response to the April 20, 1995, Call for Comment discussed above may wish to reference that information, as appropriate, rather than repeating it in their comments on the Draft Proposed Program. We also invite comments and suggestions on how to proceed with the section 18 analysis for the next draft of the new program, the Proposed Program.

As the scoping process continues for the programmatic EIS that will be prepared, we again request comments on significant environmental issues attendant to OCS leasing and development and on alternative options for size, timing, and location of sales that should be evaluated.

Respondents who wish to provide illustrated information pertaining to the size and location of lease sales can obtain larger OCS block-specific maps by calling (703) 787-1216.

Section 18(g) authorizes confidential treatment of privileged or proprietary information that is submitted. In order to protect the confidentiality of such information respondents should include it as an attachment to other comments submitted and mark it appropriately. On request the MMS will treat such information as confidential from the time of its receipt until 5 years after approval of the new leasing program, subject to the standards of the Freedom of Information Act. The MMS will not treat as confidential any aggregate summaries of such information, the names of respondents, and comments not containing such information.

Next Steps in the Process

The Proposed Program and draft EIS are scheduled to be issued in January 1996 followed by a 90-day comment period. The Proposed Final Program and final EIS are scheduled to be issued in August 1996. The Secretary may approve the new 5-year program 60 days later.

Dated: August 7, 1995.

Cynthia Quarterman,
Director, Minerals Management Service.

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